

REMARKS

Claims 1-42 are currently pending in the subject application and are presently under consideration. Claims 1-12 and 14-42 are allowed. Claims 8, 24, and 40 have been amended to correct for typographical errors. Claims 43-59 have been canceled.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to the numbering of claims under 37 CFR 1.126

The Examiner asserts that the numbering of claims submitted on March 28, 2008, was not in accordance with 37 CFR 1.126, which requires the original numbering of the claims to be preserved throughout prosecution. Applicants' representative respectfully submits that the claims submitted on March 28, 2008, preserved the original numbering of the claims, but erroneously omitted listing original claim 13 as previously submitted on February 23, 2004, and September 10, 2007. Further, applicants' representative respectfully submits that no indication was made to cancel claim 13 during prosecution of the subject application. Accordingly, withdrawal of this objection is respectfully requested.

II. Allowable Subject Matter

Applicants' representative notes with appreciation Examiner's indication that claims 1-12 and 14-42 recite allowable subject matter. In view of the comments above, claim 13 properly depends from claim 10, and is patentable over the cited art for at least the same reasons as is claim 10. Accordingly, allowance of claim 13 is respectfully requested.

III. Rejection of Claims 43-59 Under 35 U.S.C. § 101

Claims 43-59 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In order to expedite prosecution, applicants' representative has cancelled claims 43-59, but notes that claims 43-59 will be pursued in a continuation application.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [QUALP1020US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,
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